GOVERNMENT OF ANDHRA PRADESH

ABSRACT

PUBLIC SERVICES – PR&RD Department – Disciplinary proceedings against Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District, now retired under Rule 20 of the Andhra Pradesh Civil Services (Clarification, Control and Appeal) 1991 –Initiated - Article of Charges – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No.556 **Dated:25/10/2021**

Read:

G.O.Ms.No.74 , PR&RD (Vig.III) Dept, dt:25.10.2021

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ORDER :-

It is proposed to hold an inquiry against Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District, now retired in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or mis-behaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District, now retired is directed to submit his written statement of defense within (10) days from the date of receipt of this order.

4. Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District, now retired is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Chaduvula Umamaheswara Rao, S/o Sri.Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District, now retired is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him exparte, based on the material available on record.

6. Sri Chaduvula Umamaheswara Rao, S/o Sri.Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District, now retired, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct)

(Contd.P-2)

Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this orders shall be acknowledge along with Annexure-I, II, III & IV forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District, (now retired) through the Commissioner, PR&RD, Tadepalli, Guntur District.
The Commissioner, PR&RD, Tadepalli, Guntur District (With a request to serve the order on the charged Officer and furnish acknowledgment with dated signature for record).
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER

(PTO for Annexures)

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI CHADUVULA UMAMAHESWARA RAO, S/O CHANDRAYYA, PANCHAYAT SECRETARY/EXECUTIVE OFFICER, NARASANNAPETA PANCHAYAT, SRIKAKULAM DISTRICT IN CRIME NO. 06/RCT-ACB/SKL/2016 OF ACB, SRIKAKULAM RANGE.

Sri Chaduvula Umamaheswara Rao, S/o Sri Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District joined in Government Service on 16.05.1980 as Sanitary Inspector and worked at the Pamurru Grama Panchayat, Krishna District. On 27.09.2014, he was promoted as Panchayat Secretary Grade II at Karavanja Gram Panchayat, Jalumuru Mandal and deputed to Narsannapeta Grama Panchayat as Panchayat Secretary (Executive Officer) on 26.10.2015 and worked as such at Narasannapeta up to 24.06.2016. While working as such, he committed grave misconduct in as much as:

CHARGE-1:

That Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District had concealed the two building plan approval files related to Smt. P. Jyothi, who is wife of Sri Potnuru Venkata Ramana Murthy of Polaki village and Mandal along with 29 other building plan applications in the sanitary staff room of Narasannapeta Panchayat office with the help of Sri R. Sekhar, Contract basis Sanitary mestri.

CHARGE-2 :

That Sri Chaduvula Umamaheswararao did not sign in the attendance register since 11.03.2016.

CHARGE-3:

That Sri Chaduvula Umamaheswararao went on leave for two days from 11th March 2016 and 12th March 2016 just by keeping a Causal leave application addressed to the MPDO, Narasannapeta Mandal but there was no sanction of CL by the competent authority on the leave application.

Thus, Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District by his above mentioned acts, has exhibited misconduct, lack of absolute integrity, discipline and sense of propriety and also conduct unbecoming of post held

by him and thereby contravened the Rule 3(1) & (2) of A.P. Civil Services (Conduct) Rules, 1964 r/w Rule 9 of AP Revised Pension Rules, 1980.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVTERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT, MISBEHAVIOUR, LACK OF SUPERVISION & GROSS DERELICTION OF DUTY IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI CHADUVULA UMAMAHESWARA RAO, S/O CHANDRAYYA, PANCHAYAT SECRETARY/EXECUTIVE OFFICER, NARASANNAPETA PANCHAYAT, SRIKAKULAM DISTRICT IN CRIME NO. 06/RCT-ACB/SKL/2016 OF ACB, SRIKAKULAM RANGE.

Sri Chaduvula Umamaheswara Rao, S/o Chandrayya, Panchayat Secretary/Executive Officer, Narasannapeta, Srikakulam District joined in Government Service on 16.05.1980 as Sanitary Inspector and worked at the Pamurru Grama Panchayat, Krishna District. On 27.09.2014, he was promoted as Panchayat Secretary Grade-II at Karavanja Gram Panchayat, Jalumuru Mandal and deputed to Narsannapeta Grama Panchayat as Panchayat Secretary (Executive Officer) on 26.10.2015 and worked as such at Narasannapeta up to 24.06.2016. He born on 20.12.1959 and he retired from service 31.12.2019 on attaining the age of superannuation. He is here-in-after called as retired employee.

CHARGE 1:

That the retired employee during his tenure at Narasannapeta as Executive Officer/Panchayat Secretary had concealed the two files related to Smt. Jyothi who is wife of complainant in Trap Case along with 29 others building plan applications in the sanitary staff Room of Narasannapeta Panchayat office with the help of Sri R.Sekhar, Contract basis Sanitary Mestri.

CHARGE-2 :

The retired employee during his tenure at Narasannapeta as Executive Officer/Panchayat Secretary did not put his signature in the attendance register since 11.03.2016.

CHARGE-3:

The during his tenure at Narasannapeta as Executive Officer/Panchayat Secretary went on leave for two days from 11th March 2016 and 12th March 2016 just by keeping a Causal leave application addressed to the MPDO, Narasannapeta Mandal but there was no sanction of CL by the competent authority on the leave application.

BASIS OF THE CHARGE:

On 23.06.2016 at 12.30 hrs, Sri Potnuru Venkata Ramana Murthy of Polaki village presented a written report to the DSP, ACB, Srikaklam Range stating that he purchased a vacant site in the name of his wife Smt. P. Jyothi

to an extent of 400 Sq.Yards in Plot No C-43, Indiranagar colony, Narasannapeta. On 03.05.2016, he submitted an application to the Executive officer, Narasannapeta Panchayat for approval of building plan for construction of a house in the above site. Later he met the retired employee and the retired employee demanded bribe of Rs: 35,000/- for approval of his building plan. After following due procedure, the DSP, ACB, Srikakulam Range registered the above report as a case in Cr.No. 06/RCT-ACB/SKL/2016, U/Sec: 7 of P.C. Act, 1988 on 24.06.2016 at 13.00 hrs.

On 24.06.2016 at about 16.55 hrs, the Govt. servant was trapped when the Govt. servant further demanded and accepted the bribe amount of Rs. 35,000/- and handed over the bribe amount to Sri Raghupathruni Sekhar, Contract basis Sanitary Mestri with instructions to keep the amount with him till further instructions.

During the course of post trap proceeding, when the DSP questioned the retired employee about the files relating to the building plan approval in the name of Smt. Jyothi, wife of complainant and the file relating to the notice issued to Smt. Jyothi regarding the shops constructed at Vamsadhara Colony, he stated that the files will be available with concerned Jr. Asst., Sri Bhaskara Rao, "B"-seat. Then the DSP secured the presence of Sri Bathula Bhaskara Rao, S/o late Dhanaraju, age 38 years, Jr. Asst., O/o Narasannapeta Panchayat, who is looking after the seat "B" – building plans and house taxes etc, and asked him about the files of Smt. Potnuru Jyothi, W/o Ramana Murthy. Then he stated that the files are not available with him and they were submitted to the retired employee for signatures and they are available with AO-1 only. When the DSP, ACB questioned the retired employee again about the files, he denied the knowledge about the files. Then the DSP, ACB instructed the retired employee, B-Asst., and the ACB staff to search the office for the files relating to the complainant.

When the files were not found in the office either in the room of the Executive Officer or in the seat of B-Asst., the DSP, ACB once again questioned the retired employee about the files in serious, then he stated that he gave the files to AO-1 and they are available with Sri R. Sekhar, Contract basis Sanitary mestri. Then the DSP, ACB questioned Sri R. Sekhar about the files relating to Smt. Jyothi, W/o Sri Ramana Murthy, he stated that the retired employee used to give some files now and then to him to conceal the files with him and sometimes he was taking files back and giving some files. As per the instructions of the retired employee, he is concealing the files in the sanitary staff room situated within the premises of the Panchayt Office. So saying he led the trap party to the sanitary staff room,

situated at a distance of about 80 yards from the chamber of AO-1. He opened the door of the room with the key available with him as no other staff are available in the room. We found a bunch of files and registers on a table available in the room. Then the DSP, ACB instructed Sri R. Sekhar to handover the files which were given by the retired employee to him for concealing. He picked up some bunch of files from the top of the table and handed over to the DSP. The DSP verified the files and found the two files relating to Smt. Jyothi, wife of the complainant. The mediators and the trap party brought the two files to Panchayat Office, keeping the other files as they were on the table in the sanitary staff room.

The DSP secured the Xerox copies of 29 pending building plan applications, which were concealed by AO-1 through AO-2 at sanitary staff room for the purpose of investigation.

During the course of trap proceedings, the DSP, ACB seized the attendance register of the office of Grama Panchayat, Narasannapeta. On verification of the attendance register, it is found that the retired employee did not sign in the attendance register since 11.03.2016.

In the attendance register, leave letters of the retired employee and staff are available. The DSP, ACB seized the attendance register and the 10 leave letters duly attested by the mediators. On verification of the leave letters, it is found that there are no sanction orders.

Thus, the Govt. Servant, previously worked at Panchayat office, Narasannapeta, Srikakulam Dist, by his above mentioned acts, has exhibited misconduct, lack of absolute integrity, discipline and sense of propriety and also conduct unbecoming of post held by him and thereby contravened the Rule 3(1) & (2) of A.P. Civil Services (Conduct) Rules, 1964 r/w Rule 9 of AP Revised Pension Rules, 1980.

Thus, the Government Servant rendered himself liable for departmental action for major penalty.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVTERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES IN RESPECT OF SRI CHADUVULA UMAMAHESWARA RAO, S/O CHANDRAYYA, PANCHAYAT SECRETARY/EXECUTIVE OFFICER, NARASANNAPETA PANCHAYAT, SRIKAKULAM DISTRICT NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

1.	Copy of FIR in Cr. No. 06/RCT-ACB/SKL/2016 of ACB, Srikakulam Range.
2.	Mediator Report-II in Cr.No.06/RCT-ACB/SKL/2016, dated:24.06.2016
3.	Xerox copies of 29 pending building plan applications.
4.	Copy of attendance register of the Narasannapeta Panchayat maintained from January, 2016 along with copies of C.L. applications.
5.	Copy of statement of Sri Jayanthi Rama Prasada Rao, S/o late Narasimha Murthy, age 52 years, Divisional Panchayat Officer, Srikakulam, R/o Plot No. 22, Near SK Degree College, Ayyannapeta, Near Collector's Office, Vizianagaram.
6.	Copy of statement of Dr. Desula Venkata Vidya Sagar, S/o Jagga Rao, age 45 years, Mandal Parishad Development Officer, Narasannapeta, Srikakulam District, R/o Near Mandal Parishad Office, Narasannapeta, Srikakulam District.
7.	Copy of statement of Sri Bantupalli Koteswara Rao, S/o late Guruvulu, age 56 years, Divisional Panchayat Officer, Tekkali, District Panchayat Officer (FAC), Srikakulam District, R/o LIG-I/7, APHB Colony, Opp. Zilla Parishad, Srikakulam.
8.	Any other document if necessary it will be produced at the time of enquiry.

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ANNEXURE -IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES IN RESPECT OF SRI CHADUVULA UMAMAHESWARA RAO, S/O CHANDRAYYA, PANCHAYAT SECRETARY/EXECUTIVE OFFICER, NARASANNAPETA PANCHAYAT, SRIKAKULAM DISTRICT NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

1.	Sri Ayyagari Gopalu, S/o Ramarao, age 59 years, Asst. Engineer, R&B Department, Gara, Srikakulam Sub Division, Srikakulam, R/o LIG 30/B/2, Babametta, Vizianagaram.
2.	Sri Bejjipuram Krishna Murthy, S/o Bangari Naidu, age 35 years, Jr. Asst., R&B Sub Division, Srikakulam, R/o last line, Kalki Nagar, Thotapalem Road, Srikakulam.
3.	Sri Jayanthi Rama Prasada Rao, S/o late Narasimha Murthy, age 52 years, Divisional Panchayat Officer, Srikakulam, R/o Plot No. 22, Near SK Degree College, Ayyannapeta, Near Collector's Office, Vizianagaram.
4.	Dr. Desula Venkata Vidya Sagar, S/o Jagga Rao, age 45 years, Mandal Parishad Development Officer, Narasannapeta, Srikakulam District, R/o Near Mandal Parishad Office, Narasannapeta, Srikakulam District.
5.	Sri Bantupalli Koteswara Rao, S/o late Guruvulu, age 56 years, Divisional Panchayat Officer, Tekkali, District Panchayat Officer (FAC), Srikakulam District, R/o LIG-I/7, APHB Colony, Opp. Zilla Parishad, Srikakulam.
6.	Sri P.Srinivasa Rao, the then Inspector of Police, Anti Corruption Bureau, Srikakulam Range, Srikakulam.
7.	Sri K. Ranga Raju, the then Dy. Supdt. of Police, Anti Corruption Bureau, Srikakulam Range, Srikakulam.

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